

**HOUSE JOURNAL  
63RD LEGISLATURE  
NINTH LEGISLATIVE DAY**

Helena, Montana  
January 17, 2013

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Coffin. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Shaw and Warburton, excused. Quorum present.

**BILLS** (O'Hara, Chair): 1/17/2013

Transmitted to the Senate: **HB 20, HB 21, HB 23, HB 25, HB 34, HB 56, HB 57, HB 63.**  
Correctly printed: **HB 40, HB 52, HB 60, HB 65, HB 116, HB 117, HB 118, HB 137, HB 233, HB 235, HB 236, HB 237, HB 238, HB 239, HB 240, HB 241, HB 242, HB 243, SJR 1**  
Correctly engrossed: **HB 107.**

**REPORTS OF STANDING COMMITTEES**

**EDUCATION** (Hansen, Chair): 1/16/2013  
**HB 40**, do pass. Report adopted.  
**HB 52**, do pass. Report adopted.

**TRANSPORTATION** (Lavin, Chair): 1/16/2013  
**HB 55**, introduced bill, do pass and be placed on the consent calendar. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair): 1/17/2013  
**HB 60**, do pass. Report adopted.

**JUDICIARY** (Kerns, Chair): 1/17/2013  
**HB 17**, introduced bill, do pass and be placed on the consent calendar. Report adopted.  
**HB 107**, introduced bill, be amended as follows:

1. Page 2, line 7.  
**Following:** "appropriated"  
**Insert:** "for each year of the biennium ending June 30, 2015,"
2. Page 2, line 10.  
**Following:** "\$40,000 for"  
**Insert:** "each year of"
3. Page 2, line 12.  
**Following:** "\$40,000 for"  
**Insert:** "each year of"

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And, as amended, do pass. Report adopted.

**HB 137**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

1/16/2013

**SB 46**, introduced by Vuckovich

**SB 47**, introduced by Keane

**MESSAGES FROM THE GOVERNOR**

January 17, 2013

The Honorable Mark Blasdel  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Representative Blasdel:

I would like to extend my warm congratulations to the Nursing Board as it celebrates its Centennial—100 years of ensuring that Montana has some of the very best nurses in the nation. Nurses have always been at the forefront of position change in health care. They have advocated for prevention, wellness, and outcome-oriented care. I look forward to working with the nursing profession as we explore options for improving health care for all Montanans.

To all of our nurses who provide top-notch patient care: your selfless caring does not go unnoticed. Today we celebrate your hard work, and we honor your dedication to your profession. Thank you to our military nurses, and those who work in our schools, our correctional institutions, our long-term care facilities, and our homes. Every day, you touch the lives of many Montanans. To each and every one of our nurses – Thanks you.

Congratulations to the Nursing Board for 100 Years and counting. You should be proud of your many accomplishments

Sincerely,

STEVE BULLOCK  
Governor

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**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 233**, introduced by Lavin, Arntzen, Dudik, Fitzpatrick, Hollenbaugh, Jent, Larsen, Lieser, McNiven, Noonan, Sesso, Sonju, Tutvedt, referred to Transportation.

**HB 235**, introduced by Hill, B. Bennett, referred to Judiciary.

**HB 236**, introduced by Hill, B. Bennett, Noonan, referred to Judiciary.

**HB 237**, introduced by Hill, referred to Judiciary.

**HB 238**, introduced by Hill, referred to Human Services.

**HB 239**, introduced by C. Smith, Ballance, G. Bennett, Blasdel, D. Brown, Clark, Doane, Fielder, Fiscus, Fitzpatrick, Galt, Halvorson, Hansen, Hertz, Howard, Ingraham, Jackson, D. Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Rosendale, Salomon, Taylor, Thomas, Vance, Vincent, Wagoner, Walker, Warburton, Washburn, Webb, White, referred to Education.

**HB 240**, introduced by C. Smith, Ballance, G. Bennett, Blasdel, D. Brown, Doane, Fielder, Fiscus, Galt, Halvorson, Hansen, Howard, Jackson, Kary, Kerns, Knudsen, Lang, Lenz, McNiven, Miller, D. Moore, Osmundson, Randall, Redfield, Regier, Sales, Vance, Wagoner, Warburton, Washburn, Webb, White, Zolnikov, referred to Judiciary.

**HB 241**, introduced by Miller, referred to Human Services.

**HB 242**, introduced by Glimm, Lavin, Reichner, Salomon, referred to Business and Labor.

**HB 243**, introduced by Wilson, referred to Business and Labor.

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 7**, introduced by Connell, Hamlett, referred to Natural Resources.

The following House resolution was introduced, read first time, and referred to committee:

**HR 2**, introduced by Randall, referred to Redistricting Committee.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Osmundson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SJR 1** - Representative C. Smith moved **SJR 1** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs,

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Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: McChesney.

Total 1

**HB 65** - Representative Pomnichowski moved **HB 65** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Greef, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 51

Nays: Ballance, J. Bennett, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 116** - Representative Eck moved **HB 116** do pass. Motion carried as follows:

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Yeas: Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.  
Total 59

Nays: Ankney, Ballance, J. Bennett, Blyton, Brodehl, Connell, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.  
Total 41

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 117** - Representative Eck moved **HB 117** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.  
Total 68

Nays: J. Bennett, Blyton, Brodehl, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Halvorson, Hansen, Harris, Howard, Kary, Kerns, Knudsen, Laszloffy, Lavin, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov.  
Total 32

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 118** - Representative Eck moved **HB 118** do pass. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 78

Nays: J. Bennett, Blyton, Doane, Edmunds, Galt, Glimm, Harris, Howard, Kary, Kerns, Knudsen, Laszloffy, Miller, Randall, Redfield, Regier, Schwaderer, C. Smith, Warburton, Welborn, White, Zolnikov.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the presiding. Chair Osmundson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: Warburton, Shaw.

Total 2

Absent or not voting: None.

Total 1

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**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 41** passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 97

Nays: None.  
Total 0

Excused: Shaw, Warburton.  
Total 2

Absent or not voting: Price.  
Total 1

**HB 51** passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 97

Nays: None.  
Total 0

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Excused: Shaw, Warburton.

Total 2

Absent or not voting: Price.

Total 1

**MOTIONS**

Representative Vance moved **HB 128** be moved from the Natural Resources committee to the Appropriations committee.

Representative Vance moved to appoint a Joint Select Committee on **Pensions** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:

Representative Blyton  
Representative Cook  
Representative Glimm  
Representative McChesney  
Representative Regier  
Representative Swanson

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Friday, January 18, 2013. Motion carried.

House adjourned at 2:00 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

MARK BLASDEL  
Speaker of the House